

**COMMONWEALTH OF MASSACHUSETTS  
TOWN OF WESTFORD  
WARRANT**

**Middlesex, ss.**

**To the Constable of the Town of Westford, in said County,**

**GREETINGS:**

You are required in the name of the Commonwealth aforesaid, to notify and warn all inhabitants of said Town qualified to vote in elections, and also in Town affairs, at their several polling places, viz:

<b>Precinct 1</b>	Abbot School
<b>Precinct 2</b>	Blanchard Middle School
<b>Precinct 3</b>	Abbot School
<b>Precinct 4</b>	Robinson School
<b>Precinct 5</b>	Stony Brook Middle School
<b>Precinct 6</b>	Rita Edwards Miller School

**Tuesday, May 05, 2009**

(Voter Registration Deadline: April 15, 2009, 8:00pm)

Being the first Tuesday in said month, at 7:00 o'clock in the forenoon, for the following purposes:

To bring in their votes for the following officers:

**FOR FIVE YEARS**

One member of the Planning Board  
One member of the Housing Authority

**FOR THREE YEARS**

One member of the Board of Health  
One member of the Board of Selectmen  
Two members of the Library Trustees  
Three members of the School Committee

**VACANCY FOR ONE YEAR**

One member of the Board of Health

**The polls will be open from 7:00 AM to 8:00 PM;**

And to meet at the Abbot School Gymnasium at Depot Street on the following date:

**SATURDAY, MAY 9, 2009**

At 10:00 o'clock in the forenoon, then and there to act upon the following Articles, viz:

**REPORTS**

<b>ARTICLE 1:</b>	<b>Acceptance of Town Reports</b>	<i>Town Manager</i>
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To hear the Reports of Town Officers, Boards and Committees for the calendar year 2008;

Or act in relation thereto.

**FINANCIAL – FISCAL YEAR 2009**

<b>ARTICLE 2:</b>	<b>Fiscal Year 2009 Supplemental Appropriations</b>	<i>Town Manager</i>
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To see if the Town will vote to transfer from available funds various sums in order to supplement operating budgets for the Fiscal Year ending June 30, 2009;

Or act in relation thereto.

<b>ARTICLE 3:</b>	<b>Fiscal Year 2009 Budget Transfers</b>	<i>Town Manager</i>
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To see if the Town will vote to transfer various sums between and among various accounts for the Fiscal Year ending June 30, 2009;

Or act in relation thereto.

<b>ARTICLE 4:</b>	<b>Unpaid Bills from Previous Fiscal Years</b>	<i>Town Manager</i>
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To see if the Town will vote to transfer from available funds a sum of money to pay unpaid bills from prior fiscal years for various Town departments in accordance with the provisions of Massachusetts General Laws Chapter 44, Section 64;

Or act in relation thereto.

**FINANCIAL-FISCAL YEAR 2010**

<b>ARTICLE 5:</b>	<b>Acceptance of Chapter 71: Section 37M Consolidation of Administrative Functions of Town and School</b>	<i>Board of Selectmen</i>
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To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 71, Section 37M to allow the Town to consolidate administrative functions, including but not limited to financial, personnel, and maintenance functions, of the School Committee with those of the Town;

Or act in relation thereto.

**ARTICLE 6: Amendments to the Wage and Classification Plan** *Town Manager*

To see if the Town will vote to amend the Pay Classification Plan for non-unionized municipal employees, effective July 1, 2009:

Or act in relation thereto.

**ARTICLE 7: Fiscal Year 2010 Operating Budget** *Town Manager*

To see if the Town will vote to appropriate by taxation, transfer from available funds, or borrow, or any combination thereof, for the operation and maintenance of Town Departments for the Fiscal Year July 1, 2009 through June 30, 2010, and that such sums be expended for such purposes under the direction of the respective Town Officers, Boards and Committees;

Or act in relation thereto.

**ARTICLE 8: Property Tax Exemption Increase by 100% for the Blind, Elderly and for Disabled Veterans** *Board of Assessors*

To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 73, Section 4 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, by providing for additional property exemptions for qualified residents who may be blind, elderly, surviving spouses or minors, or who are disabled veterans, and to continue the present percentage increase of 100%;

Or act in relation thereto.

**ARTICLE 9: Property Tax Deferral for Seniors: Amend and Increase Qualifying Income** *Board of Assessors*

To see if the Town of Westford will vote to amend and increase the qualifying income for gross receipts as established under Massachusetts General Laws Chapter 62 Section 6 (k) as determined for the "Circuit Breaker" state income tax credit. This amount to be adjusted annually by the Commissioner of Revenue;

Or act in relation thereto.

**ARTICLE 10: Revolving Funds** *Town Manager*

- a) To see if the Town will vote to re-authorize revolving funds for the Fiscal Year July 1, 2009 - June 30, 2010, under the provisions of Massachusetts General Laws Chapter 44, Section 53 E ½ for the fiscal year beginning July 1, 2009 as follows:

Revolving Account	Spending Authority	Revenue Source	Allowed Expenses	Expenditure Limits	Year End Balance
Recycling Revolving	Recycling Commission	Sale of bins and bulk stickers	Purchase of recycling supplies	\$20,000	Available for expenditure next year

Recreation Field Maintenance	Recreation Commission	Field user fees/permits	Field maintenance, hiring of necessary personnel and consulting services	\$150,000	Available for expenditure next year
School Parking	School Department	Parking fees	Maintenance and expansion of parking facilities	\$32,800	Available for expenditure next year
School Bus/Transportation	School Department	User bus fees	Student transportation costs	\$510,000	Available for expenditure next year

- b) To see if the Town will vote to authorize a revolving fund for the Fiscal Year July 1, 2009 - June 30, 2010, under the provisions of Massachusetts General Laws Chapter 44, Section 53 E ½ for the following:

Revolving Account	Spending Authority	Revenue Source	Allowed Expenses	Expenditure Limits	Year End Balance
Health Department Clinic	Board of Health	Clinic fees	Professional services, clinical supplies and any other clinic related costs	\$30,000	Available for expenditure next year

Or act in relation thereto.

<b>ARTICLE 11: Highway Department Chapter 90 Funds</b>	<i>Town Manager</i>
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To see if the Town will vote to appropriate a sum of money from the proceeds due to the Town under the provisions of Massachusetts General Laws Chapter 90; for the purposes of repair, construction, maintenance and preservation of the Town roads and bridges and other related costs which qualify under the State Aid Highway Guidelines adopted by the Massachusetts Highway Authority;

Or act in relation thereto.

<b>ARTICLE 12: Transfer \$30,000 from Ambulance Enterprise Free Cash</b>	<i>Fire Department</i>
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To see if the Town will vote to transfer thirty thousand dollars (\$30,000) (THIRTY THOUSAND DOLLARS) or some other sum from Ambulance Enterprise Free Cash to be expended for the contractual Advance Life Support and Medicare Services;

Or act in relation thereto.

### **CAPITAL EXPENSES FY 2010**

<b>ARTICLE 13: Capital Requests</b>	<i>Town Manager</i>
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To see if the Town will vote to appropriate the sum of \$1,500,000.00 (ONE MILLION FIVE HUNDRED THOUSAND DOLLARS) or some other sum by taxation, by transfer

from available funds, by borrowing, or any combination thereof, to provide for the following capital requests:

<b>DEPARTMENT</b>	<b>AMOUNT</b>	<b>PURPOSE</b>
Technology	\$260,000	Hardware, software, maintenance, and any other related costs
Police Department	\$ 5,600	Bullet Proof Vests
Police Department	\$ 73,316	Two cruisers and accessories and any other related costs
Police Department	\$ 30,903	Portable radios and any other related costs
Fire Department	\$465,000	Replace Engine 1 and any other related costs
Fire Department	\$ 78,000	Replace boiler at Fire Headquarters and any other related costs
School Department	\$325,000	Waste Treatment Facility Plant upgrades at Westford Academy and any other related costs
School Department	\$ 80,000	Exterior door replacement at Abbot School and any other related costs
Highway Department	\$ 25,000	Catch Basin Truck Unit and any other related costs
Library	\$ 8,870	Flooring repairs, carpet replacement, associated moving costs and any other related costs
Library	\$ 50,000	Repairs to and/or replacement of Library rear entry and any other related costs
Historical Commission	\$ 10,000	Repairs to roof at 2 Boston Rd and any other related costs
Historical Commission	\$ 2,000	Replacement of oil tank at 2 Boston Rd. and any other related costs

and further;

<b>DEPARTMENT</b>	<b>AMOUNT</b>	<b>PURPOSE</b>
Capital Stabilization Fund	\$86,311	Appropriation to the Capital Stabilization Fund

Or act in relation thereto.

<b>ARTICLE 14: Develop New Well Source-Stepinski Parcel</b>	<i>Water Commissioners</i>
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To see if the Town will vote to transfer the sum of \$75,000 (SEVENTY FIVE THOUSAND DOLLARS) or some other sum, from Water Enterprise Free Cash, to be expended under the direction of the Board of Water Commissioners, to pay for the costs of a pump test and required permitting and any other related costs, to develop a new well source, to be constructed on that portion of the so-called Stepinski parcel in the care, custody and control of the Water Department identified as "Parcel A";

Or act in relation thereto.

<b>ARTICLE 15: Perchlorate Expenses</b>	<i>Town Manager</i>
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To see if the Town will vote to appropriate by taxation, transfer from available funds, or borrow the sum of \$100,000 (ONE HUNDRED THOUSAND DOLLARS), or any

combination thereof, for the purpose of providing funds to address associated issues regarding perchlorate contamination;

Or act in relation thereto.

<b>ARTICLE 16:</b>	<b>Authorization of Debt for Senior Center Renovations and Construction</b>	<i>Permanent Town Building Committee</i>
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To see if the Town will vote to appropriate a sum of money to be expended under the direction of the Board of Selectmen to pay costs of renovations and / or an addition to the current Cameron Senior Center, including any other costs incidental and related thereto; and as funding therefor to raise and appropriate, transfer from available funds, or borrow pursuant to Massachusetts General Laws Chapter 44, Sections 7(3) and 7 (3A), Massachusetts General Laws Chapter 44B, Section 11, the Community Preservation Act, for historic preservation, rehabilitation, and restoration purposes, or pursuant to any other enabling authority, provided that to the extent said appropriation is raised by borrowing outside of the Community Preservation Act program, said borrowing to be excluded from the provisions of proposition two and one half (2 ½) so called.

Or act in relation thereto.

<b>ARTICLE 17:</b>	<b>Authorization of Debt for Town Hall Renovations and Construction</b>	<i>Permanent Town Building Committee</i>
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To see if the Town will vote to appropriate a sum of money to be expended under the direction of the Board of Selectmen to pay costs of renovations and / or an addition to the current Town Hall, including any other costs incidental and related thereto; and as funding therefor to raise and appropriate, transfer from available funds, or borrow pursuant to Massachusetts General Laws Chapter 44, Sections 7(3) and 7 (3A), and Massachusetts General Laws Chapter 44B, Section 11, the Community Preservation Act, for historic preservation, rehabilitation, and restoration purposes, or pursuant to any other enabling authority,

Or act in relation thereto.

### CPA FUNDS

<b>ARTICLE 18:</b>	<b>Community Preservation Committee Recommendations</b>	<i>Community Preservation Committee</i>
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To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2010 Community Preservation budget and to appropriate from the Community Preservation Fund a sum of money not exceeding 5% of the FY2010 estimated annual revenues to meet the administrative expenses and all

other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2010; and further to reserve for future appropriation a sum of money from the Community Preservation Fund for open space, historic resources, and community housing purposes, and further to appropriate from the Community Preservation Fund or borrow pursuant to Massachusetts General Laws Chapter 44B, Section 11, or any other enabling authority, a sum or sums of money for Community Preservation projects or purposes, including acquisition of interests in land, all as recommended by the Community Preservation Committee;

Or act in relation thereto.

### **ADMINISTRATIVE**

<b>ARTICLE 19: Institute Waste Reduction Program</b>	<i>Board of Selectmen</i>
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To see if the Town will vote to direct the Board of Selectmen to institute a waste reduction program, as part of the Town's curbside collection of solid waste and recyclables service, that would have the following elements: each household would be allowed to place at the curbside for pickup each week one 36 gallon container or bag containing non-recyclable, acceptable solid waste; additional 33 gallon bags, imprinted with an official identifier, for non-recyclable, acceptable solid waste may be placed at curbside for collection provided the resident purchases said bags from the Town at designated locations at a cost to be determined by the Board of Selectmen; an unlimited amount of recyclable materials may be placed at the curbside during the week regularly scheduled for recycling collection;

Or act in relation thereto.

<b>ARTICLE 20: Renaming of Central Fire Station</b>	<i>Board of Selectmen</i>
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To see if the Town will vote to name the Westford Center Fire Station in memory of Harold A Fletcher, Senior;

Or act in relation thereto.

<b>ARTICLE 21: Dissolution of Roudenbush Community Center Committee &amp; Transfer Care, Custody &amp; Control of Town Buildings to Board of Selectmen, Authority to Enter Lease</b>	<i>Board of Selectmen</i>
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To see if the Town will vote pursuant to Massachusetts General Laws Chapter. 40, Section 15A to transfer the care, custody, control, and management of the Roudenbush Community Center land and buildings, located at 65 Main Street and 73 Main Street (Assessors' Map No. 59, Parcel No. 42) and 170 Plain Road (Assessors' Map No. 74, Parcel No. 108) from the Roudenbush Community Center Committee to the Board of Selectmen to be held for general municipal purposes and for the purpose of leasing and to authorize the Board of Selectmen to lease in accordance with the provisions of

Massachusetts General Laws Chapter. 30B, Section 16, as applicable, all or a portion of the real property known as the Roudenbush Community Center for a term not to exceed ten years with an intended purpose similar to that which is currently in operation as reasonably determined by the Board of Selectmen, on such terms and conditions as the Board of Selectmen deem to be in the best interests of the Town; and further to dissolve the Roudenbush Community Center Committee;

Or act in relation thereto.

### **GENERAL BYLAW AMENDMENTS**

<b>ARTICLE 22: Change Town Meeting Date</b>	<i>Board of Selectmen</i>
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To see if the Town will vote to amend Chapter 51, Section 51.1 A and 51.1 B of the Westford General Bylaws relating to the date of the Annual Town Meeting by deleting the current text and replacing it with the following text:

- A. Date and time of Annual Town Elections. [Amended 2-20-33 ATM Art. 13; 2-17-47 ATM Art. 35; 3-12-66 ATM Art. 36; 12-19-73 STM Art. 4. Replaced 10-2-90 STM Art. 10. Amended 5-11-02 ATM Art. 30] The Annual Meeting for the election of Town officers and the determination of matters as by law or vote of the Town are required to be elected or determined by ballot shall be held on the first Tuesday of May each year. The polls shall be open at 7:00 A.M. and shall remain open until 8:00 P.M.
- B. Date and time of Annual Town Business Meetings. All other business of the Annual Town Meeting shall be considered at 10:00 A.M. on the fourth Saturday in March, except that if the Board of Selectmen determines that such date conflicts with the traditional observance of a religious holiday, the Board of Selectmen may delay the Annual Town Meeting to a subsequent Saturday that does not conflict with any religious holiday;

Or act in relation thereto.

<b>ARTICLE 23: Change Quorum Requirement for Special Town Meeting</b>	<i>Board of Selectmen</i>
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To see if the Town will vote to amend Chapter 51, Section 51.2 B of the Westford General Bylaws relating to the quorum requirement at a Special Town Meeting by deleting the current text in its entirety and replacing it with the following text: "A quorum of 200 registered voters shall be required to convene a Special Town Meeting. Once a Special Town Meeting has been opened, there shall be no quorum requirement.";

Or act in relation thereto.



**ARTICLE 24: Conservation Land - Rules and Regulations Violations** *Conservation Commission*

To see if the Town will vote to amend Chapter 1, Section 1.4 of the Westford General Bylaws (Penalties and enforcing person for violation of bylaws or regulations) as follows:

1. Under "Conservation Commission Regulations" : Amend "Use of Conservation Land" to read "Rules and Regulations for Use of Town of Westford Conservation Lands";
2. Under Enforcing Persons" delete "Planning/Conservation Coordinator" and replace it with " Westford Police, Town Bylaw Enforcement Officer, Conservation/Resource Planner;
3. Under "Offense" and "Fine", delete "1<sup>st</sup> Offense \$25" and "Subsequent offenses \$100.00" and replace with the following: "1<sup>st</sup> Offense \$50.00, 2<sup>nd</sup> offense \$75.00, third and subsequent offenses \$100.00";

Or act in relation thereto.

**ARTICLE 25: Board of Health Fines** *Board of Health*

To see if the Town will vote to delete all Board of Health entries in Chapter 1, sec. 1.4 of the General Bylaws and replace them with the following:

<b>Board of Health Regulation/CMR</b>	<b>Enforcing Person</b>	<b>Offense</b>	<b>Fine</b>
Ambient air quality standards (310 CMR 6.00–8.00)	Board of Health	1st and each subsequent offense	\$100
Animals			
Piggeries	Board of Health	1st and each subsequent offense	\$25
Stables	Board of Health	1st and each subsequent offense and per day	\$25
Bathing beaches, minimum standards for (105 CMR 445.000)	Board of Health	1st and each subsequent offense	\$100
Body art			
Body art without permit	Board of Health	Per day	\$300 **
Body art on minor without written consent by parent or legal guardian	Board of Health	Per violation/person	\$300 **

Performing tattooing/ branding/scarification on anyone under 18	Board of Health	Per violation/person	\$300 **
Discharges to municipal storm drain systems	Board of Health	1st offense	\$100
		2nd offense	\$200
		subsequent offenses	\$300
Floor drains	Board of Health	1st offense	\$200
		2nd offense	\$300 **
		subsequent offenses	\$300 **
Food establishments, minimum sanitation standards for (105 CMR 590.000			
Minimum sanitation standards for food establishments	Board of Health	1st and each subsequent offense	\$25
Critical violations of minimum sanitation standards for food establishments	Board of Health	1st and each subsequent offense	\$50
Food borne illness interventions and risk factors	Board of Health	1st and each subsequent offense	\$100
Hazardous Materials Storage	Board of Health	1st and each subsequent offense	\$300
Hazardous wastes (310 CMR 30.000)	Board of Health	1st and each subsequent offense	\$100
Human habitation, minimum standards for (105 CMR 410.000)	Board of Health	1st and each subsequent offense	\$100
Mercury disposal	Board of Health	1st and each subsequent offense	\$100
Nuisance	Board of Health	1st and each subsequent offense	\$100
Recreational camps for children, minimum sanitation and safety standards for (105 CMR 430.000)	Board of Health	1st and each subsequent offense	\$100
Site assignment for dumping grounds	Board of Health	1st and each subsequent offense	\$100
Subsurface disposal of sanitary sewage (310 CMR 15.000)	Board of Health	1st and each subsequent offense	\$100
Swimming pools, minimum sanitation for (105 CMR 435.000)	Board of Health	1st and each subsequent offense	\$100

Board of Health Regulation/CMR	Enforcing Person	Offense	Fine
Tanning facilities (105 CMR 123.000)	Board of Health	1st offense	\$200
		2nd offense	\$300 **
		subsequent offenses	\$300**
Tobacco			
Sale of tobacco products to minors by proprietor	Board of Health	1st and each subsequent offense	\$300
Sale of tobacco products to minors by employee	Board of Health	1st and each subsequent offense	\$200
Smoking in a non-smoking area <b>Proprietor</b>	Board of Health	1st offense	\$200
		2nd offense	\$200
		subsequent offenses	\$300
Smoking in a non-smoking area <b>Individual</b>	Board of Health	1st offense	\$100
		2nd offense	\$200
		subsequent offenses	\$300
Water supply	Board of Health	1st and each subsequent	\$100

*\*\*Town Meeting approved increasing fines in excess of \$300, but Massachusetts General Laws chapter 40, section 21D limits the amount of a fine that may be collected through noncriminal disposition to \$300.*

Or act in relation thereto.

**ARTICLE 26: Amend Chapter 68 Numbering of Buildings**

*Planning Board*

To see if the Town will vote to amend Chapter 68 of the General Bylaw as follows:

**Chapter 68: Numbering of Buildings**

[Adopted 3-18-61 Adj. ATM Art. 4. Amendments noted where applicable.]

**§ 68.1. Numbering of Buildings**

Every building in the Town of Westford, including but not limited to dwellings, apartment buildings, condominiums, and business establishments, shall have affixed thereto a number representing the address of such building. Said number shall be situated on the building and/or appurtenant land so that it is visible from the nearest street or road providing vehicular access to such building.

**§ 68.21. Authority to determine and designate numbers.** [5-11-2002 ATM Art. 30]

~~The Board of Selectmen may determine and designate numbers for all buildings abutting upon or adjacent to public ways and so shall determine and designate numbers for these buildings.~~

The Board of Selectmen shall have the authority to determine and designate numbers for all buildings abutting upon or adjacent to public ways. The Board of Selectmen

may, however, create and delegate said authority to an E911 Committee comprised of the Fire Chief, the Police Chief and the Building Commissioner or their designees.

**§ 68.3 Authority to adopt rules and regulations.**

An E911 Committee created by the Board of Selectmen shall adopt rules and regulations for the administration of this Chapter.

**§ 68.42. Compliance required.** [5-11-2002 ATM Art. 30]

No person shall refuse or neglect to affix to any building owned by him/her the street number designated by the Board of Selectmen or the E911 Committee, nor shall any person affix or suffer to remain on any building owned or occupied by him/her a street number other than the one designated by the Board of Selectmen or the E911 Committee ~~Selectmen~~.

**§ 68.53. Size and placement of numbers.** [5-11-2002 ATM Art. 30]

The Board of Selectmen or the E911 committee shall determine the appropriate size and visibility requirements for the placement of house numbers. At a minimum, residential house numbers must be 3 inches ~~All numbers must be at least 2 inches in height. and must be placed that they are visible from the street.~~

**§ 68.64. Violations and penalties** [5-11-2002 ATM Art. 30]

Owners who are found to be in violation will receive written notice of non-compliance and be ordered to comply within 30 days. Penalties will be assessed if owners fail to comply within 90 days of written notice. Any person or entity who violates this chapter shall be subject to a fine of \$25 ~~liable to the following fines for each day of the violation.~~

~~continues:-~~

~~For the first and each subsequent offense: \$25~~

Or act in relation thereto.

**ARTICLE 27: Trench Regulations**

*Building and Fire Department*

To see if the Town will vote to amend the Town Bylaws by adopting a new bylaw authorizing the Building Commissioner and the Board of Selectmen to enact regulations establishing a permitting program for the issuance of trench opening permits pursuant to Massachusetts General Laws Chapter 82A and 520 Code of Massachusetts Regulation 14:00, as follows:

**Chapter 162: Trench Regulations**

**§ 162.1. Authorization; notification of hearings.**

The Board of Selectmen and the Building Commissioner shall hereby be authorized to promulgate regulations relative to implementing a trench opening permitting program pursuant to Massachusetts General Laws Chapter 82A and 520 Code of Massachusetts Regulations 14.00. Prior to promulgation of the regulations, or to amendment thereof,

the Board of Selectmen or Building Commissioner or Fire Chief shall hold a public hearing for which notice shall be provided at least one week prior to the hearing.

**§ 162.2. Enforcement; violations and penalties.**

Notwithstanding the provisions of Sections 1.1 through 1.3 of the Town Bylaws, violations of the regulations promulgated under authority of this bylaw may be enforced through any lawful means in law or in equity by the Board of Selectmen or the Building Commissioner or the Fire Chief, including but not limited to enforcement by non-criminal disposition in accordance with Massachusetts General Laws Chapter 40, Section 21D. Each day a violation exists shall constitute a separate violation. The regulations authorized by this section shall establish specific penalties for violation thereof in amounts not to exceed \$300.00 per violation;

Or act in relation thereto.

<b>ARTICLE 28: Fire Alarm Bylaw</b>	<i>Fire Department</i>
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To see if the Town will vote to amend the Town Bylaws by adopting a new bylaw authorizing the Board of Selectmen and Fire Chief, after a public hearing, to promulgate regulations relative to fire protection and safety in the Town, to set fees for services related thereto, and to impose penalties for violations thereof in amounts not to exceed \$300.00 per violation, as follows:

**Chapter 94: Fire Alarms**

**§ 94.1. Authorization; notification of hearings.**

The Board of Selectmen and Fire Chief shall hereby be authorized to promulgate regulations relative to fire protection and safety in the Town, including, but not limited to installation and operation of fire alarms and other fire protective systems and carbon monoxide alarms and to set fees for services incidental to permitting and monitoring such systems and alarms, provided, however, that such regulations must be consistent with applicable statutes, including the provisions of Massachusetts General Laws Chapter 148, the State Building Code (780 CMR), and the Massachusetts Fire Prevention Regulations promulgated by the State Board of Fire Prevention Regulations (527 CMR). Prior to promulgation of the regulations, or to amendment thereof, the Board of Selectmen and Fire Chief shall hold a public hearing for which notice shall be provided at least one week prior to the hearing.

**§ 94.2. Enforcement; violations and penalties.**

Notwithstanding the provisions of Sections 1.1 through 1.3 of the Town Bylaws, violations of the regulations promulgated by the Board of Selectmen and Fire Chief promulgated under authority of this bylaw may be enforced through any lawful means in

law or in equity by the Board of Selectmen or the Fire Chief, including but not limited to enforcement by non-criminal disposition in accordance with Massachusetts General Laws Chapter 40, Section 21D. Each day a violation exists shall constitute a separate violation. The regulations authorized by this section shall establish specific penalties for violation thereof in amounts not to exceed \$300.00 per violation;

Or act in relation thereto.

### **ZONING BYLAW AMENDMENTS**

<b>ARTICLE 29: Amendment to Section 6.3: Growth Management Bylaw</b>	<i>Planning Board</i>
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To see if the Town will vote to amend Chapter 173, Section 6.3 of the Westford Zoning Bylaw to extend the Growth Management Bylaw for an additional year to allow for the completion of the Comprehensive Master Plan update, as follows:

At §173-6.3.2.2 ADD and DELETE the following: (additions are underlined / deletions are crossed through)

§6.3.2.2 The provisions of this Section 6.3 shall expire on May 11, ~~2009~~2010; however, by vote of Town Meeting before said date, the provisions of this Section 6.3 may be extended for an additional five years, in order to continue comprehensive municipal planning studies necessary to promote orderly growth. In the event such action is taken by the Town Meeting prior to May 11, ~~2009~~2010, these provisions shall not be construed to have lapsed on such date;

Or act in relation thereto.

<b>ARTICLE 30: Amendment to Section 3.2 Accessory Uses</b>	<i>Planning Board/ZBA</i>
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To see if the Town will vote to amend Chapter 173, Section 3.2 of the Westford Zoning Bylaw to define the number of garages allowed in residential areas, as follows;

At §173-3.2.1 6 Garage, ADD and DELETE the following: (additions are underlined / deletions are crossed through)

6. Garage. ~~Garage for not more than 3 motor vehicles.~~ - Attached to residential structures- no more than 4 bays to house motor vehicles, with a maximum of not more than 3 bays on any one face of the structure.

Whether a detached accessory building, or attached to a residential building, a garage with not more than four bays to house a maximum of four motor vehicles shall be permitted as an accessory use to a single or two-family dwelling, provided that:

- (a) No more than three bays may be on any one face of the building;
- (b) The maximum size of each bay shall be 14 feet by 26 feet, with a maximum area of 364 square feet for a single bay and a maximum total area of 1,092 square feet for three contiguous bays; and
- (c) The total area of a garage shall not exceed 1,456 square feet for the purposes of housing vehicles.

Barns used to house motor vehicles shall be considered a garage use, unless it is used primarily for an exempt agricultural use under G.L. c. 40A, §3.

Or act in relation thereto.

<b>ARTICLE 31: Amendment to Section 8.2 Floodplain Overlay District</b>	<i>Planning Board</i>
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To see if the Town will amend Chapter 173 of the Code of the Town of Westford as follows

At §173-8.2.2 District Boundaries, ADD and DELETE the following: (additions are underlined / deletions are crossed through)

8.2.2 District Boundaries. The boundaries of the FOD are shown on the Flood Insurance Rate Map (FIRM), dated June 15, 1983, revised November 14, 2005, and amended through November 13, 2008 by the Federal Emergency Management Agency, which represent the one-hundred year flood elevations designated at Zone A and Zones A1 through A30. The boundaries of the floodway are shown on the Flood Boundary and Floodway Map, ~~dated June 15, 1983,~~ and further defined by the floodway date tables contained in the Flood Insurance Study.

Or act in relation thereto.

### **LAND USE & LAND ACQUISITIONS**

<b>ARTICLE 32: Comprehensive Master Plan</b>	<i>Planning Board</i>
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To see if the Town will vote to accept the Comprehensive Master Plan prepared and adopted by the Planning Board pursuant to Massachusetts General Laws Chapter 41, Section 81D;

Or act in relation thereto.

<b>ARTICLE 33: Allie Lane Land Gift</b>	<i>Board of Selectmen</i>
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To see if the Town will vote to authorize the Board of Selectmen to accept a gift of land from Granite Hill Estates, LLC, which will transfer the care, custody and control of a

certain parcel of land, containing approximately 15 +/- acres commonly known as the "Allie Lane" parcel which is more accurately described as Parcel 4, 4-2; Second in a deed running from Herbert E. Fletcher et.al. to Granite Hill Estates, LLC, dated December 9, 1999 and recorded with the Middlesex North Registry of Deeds at Book 10576, Page 123 to the inhabitants of the Town of Westford, and said land is to be under the care, custody and control of the Board of Selectmen for general municipal purposes;

Or act in relation thereto.

<b>ARTICLE 34: Lease of Day Agricultural and Conservation Land</b>	<i>Board of Selectmen</i>
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To see if the Town will vote to authorize the Conservation Commission to lease for agricultural use for up to ten years, a portion of the land under its care and custody located on Graniteville Road known as the Day Agricultural and Conservation Land (Assessors' Map 26 Parcel 37) and to authorize the Selectmen to file special legislation with the General Court, pursuant to Article 97, authorizing the Conservation Commission to lease the land known as the Day Agricultural and Conservation Land (Assessors' Map 26 Parcel 37) for agricultural use for up to ten years;

Or act in relation thereto.



And you are directed to serve this warrant by posting a true and attested copy thereof at the Town Hall, Library and at each Post Office in said Town of Westford at least fourteen (14) days prior to the time of holding said meeting.

THEREOF FAIL NOT and make return of this warrant, with your doings thereon, to the Town Clerk, at the time and place of holding the meeting aforesaid.

Given under our hands this \_\_\_\_\_ day of \_\_\_\_\_ in the Year of our Lord 2009.

\_\_\_\_\_  
Robert Jefferies (Chair)

\_\_\_\_\_  
Jim Sullivan (Vice-Chair)

\_\_\_\_\_  
Valerie Wormell (Clerk)

\_\_\_\_\_  
Kelly Ross

\_\_\_\_\_  
Nancy Rosinski

**A TRUE COPY  
ATTEST:**

\_\_\_\_\_  
**Constable of Westford**

**DATE:**

**I HEREBY CERTIFY THAT I HAVE SERVED THE FOREGOING WARRANT BY  
POSTING A TRUE AND ATTESTED COPY THEREOF AT THE TOWN HALL, LIBRARY**

\_\_\_\_\_  
*BOARD OF SELECTMEN Chairman*  
*(Initial)*

**AND AT EACH POST OFFICE IN THE SAID TOWN OF WESTFORD AT LEAST  
FOURTEEN DAYS PRIOR TO THE TIME OF HOLDING SAID MEETING.**